

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Erich Harsch, *et al.* )  
)  
Application No.: 09/ )  
)  
Filed: January 30, 2001 )  
)  
For: HORIZONTAL )  
TRANSPORTING SYSTEM )  
\_\_\_\_\_ )

Examiner: Not yet assigned  
Group Art Unit: Not yet assigned

#2  
IDS  
ASW  
4-4-01

Commissioner For Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed within three months of the filing date of the above referenced application. Accordingly, Applicants do not believe a fee is due for the filing of the Information Disclosure Statement.

A copy of each listed document is attached.

The following is a concise explanation of the non-English language documents:

1. European Patent No. 0 672 480, the relevance of which is discussed on pages 1 and 2 of the above-identified specification.

2. European Patent No. EP 0 693 334 A1, the relevance of which is discussed on page 1 and 2, of the above-identified specification.
3. German Patent No. DE 43 09 661 A1, the relevance of which is discussed on page 2 of the above-identified specification.
4. German Patent No. DE 199 11 795 A1, the relevance of which is discussed on page 2 of the above-identified specification.
5. German Patent No. DE 100 10 079 A1, the relevance of which is discussed in the attached DERWENT abstract.
6. European Patent No. 0 210 745 A2, the relevance of which is discussed in the DERWENT abstract.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

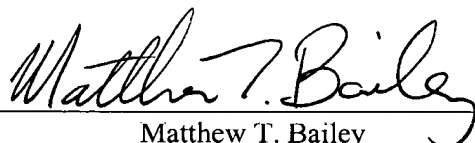
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,  
including any required extension of time fees, or credit any overpayment to Deposit Account No.  
50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**  
**EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

Dated: January 30, 2001

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